

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

BRAD JACKSON,

Plaintiff,

vs.

CITY OF MAPLEWOOD, et al.

Defendants.

Case No. 4:24-cv-01207-NCC

**JURY TRIAL DEMANDED**

**DEFENDANT CITY OF MAPLEWOOD'S  
MOTION TO DISMISS PLAINTIFF'S FIRST AMENDED COMPLAINT**

COMES NOW Defendant City of Maplewood, by and through undersigned counsel, and for its Motion to Dismiss Plaintiff's First Amended Complaint, states as follows:

1. Plaintiff's First Amended Complaint fails to state any viable cause of action against the City of Maplewood.

2. Counts I ("First Amendment Retaliation") and X ("§ 1985(3) Civil Conspiracy") are the only counts directed at Defendant City.

3. Because the allegations in Plaintiff's First Amended Complaint do not form the basis for *Monell* liability against the City, Plaintiff's claims fail to state a viable cause of action against Defendant City. As more specifically explained in Defendant's Memorandum of Law in Support of this Motion, Plaintiff's allegations and suggestions do not amount to a City policy or the decisions of a final policymaker on matters specifically within his purview for setting the City's policy that were the moving force behind an alleged violation of Plaintiff's constitutional rights.

4. Furthermore, Plaintiff's retaliatory arrest claim fails to state the elements of a viable claim. This claim undoubtedly fails because Plaintiff has admitted that he had a warrant out for his arrest at the time of his arrest.

5. Finally, to the extent that Plaintiff attempts to state a §1985(3) claim against Defendant City in Count X, Plaintiff has also failed to state a viable claim upon which relief may be granted.

6. Accordingly, Defendant City of Maplewood and the claims against it should be dismissed from this case.

7. Defendant City incorporates by reference its Memorandum of Law in Support of this Motion, filed contemporaneously herewith.

WHEREFORE, Defendant City of Maplewood respectfully requests that this Court grant its Motion to Dismiss, thereby entering and Order and Judgment in favor of Defendant City of Maplewood and against Plaintiff and dismissing all claims in Plaintiff's First Amended Complaint brought against Defendant City of Maplewood with prejudice, for an award of its costs and attorneys' fees incurred herein, and for any other and further relief that this Court deems just and proper under the circumstances.

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 2nd day of January 2025, I electronically filed the foregoing via the Court's ECF electronic filing system, which sent notification of such filing to all counsel of record. I further certify that I signed, or caused my electronic signature to be placed upon, the original of the foregoing document.

/s/ Timothy J. Reichardt